

IPW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/815,636

Filing Date April 2, 2004

First Named Inventor Kia Silverbrook

Art Unit 2614

Examiner Name

Attorney Docket Number HYJ001US

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**Remarks**

Email: kia.silverbrook@silverbrookresearch.com  
Telephone: 61-2-9818-6633  
Facsimile: 61-2-9555 7762

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name			
Signature			
Printed name	Kia Silverbrook, Paul Lapstun, Peter C B Henderson, Alireza Moini, Zheng A Yourlo, Matthew J Underwood, Nicholas D Ridley, Jan Rusman		
Date	May 20, 2005	Reg. No.	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



United States Patent and Trademark Office

Serial Number: 10/815,636  
Application. Filed: April 2, 2004  
Applicant: Kia Silverbrook, Paul Lapstun, Peter Charles Boyd Henderson, Alireza Moini, Zhenya Alexander Yourlo, Matthew John Underwood, Nicholas Damon Ridley and Jan Rusman  
Application. Title: Scanning Device for Coded Data  
Examiner/GAU: Frances Hicks – Petitions Examiner 2852  
Dated May 18, 2005  
At: Balmain, NSW  
Docket No. HYJ001US

**RENEWED PETITION UNDER 37 CFR 1.78(a)(3)**

Commissioner for Patents  
Washington, District of Columbia 20231

In reply to the Dismissed Petition dated May 11, 2005, the Applicants now submit a renewed petition under 37 CFR 1.78(a)(3).

**Amendments to the Specification** begin on page 2 of this paper. The Applicant submits that these amendments introduce no new matter.

**Amendments to the Specification:**

**A paragraph beginning at Page 1, line 2, (the first sentence following the Title), is to be added as follows:**

**Cross-Reference to Related Application**

This application is a Continuation-in-Part of US Application No. 10/778,056, filed on February 17, 2004.

**REMARKS/ARGUMENTS**

In reply to the Dismissed Petition dated May 11, 2005, the Applicants have corrected Page 1 of the Specification and also filed an Application Data Sheet containing a reference to the earlier filed nonprovisional application. That is, this application is claiming the benefit of prior-filed co-pending US Application No. 10/778,056, filed on February 17, 2004 only.

The Applicants would be grateful if a corrected filing receipt showing the correct "Domestic Priority Data as claimed by Applicant" could be issued.

The surcharge under 37 CFR 1.17(t) was already submitted with our Petition dated September 23, 2004.

Enclosed is a Petition to accept an unintentionally delayed claim under 35 U.S.C. 120.

**PETITION TO ACCEPT AN UNINTENTIONALLY  
DELAYED CLAIM UNDER 35 U.S.C. 120**

The Applicant hereby petitions to accept an unintentionally delayed claim under 35 U.S.C. 120 for the benefit of a prior-filed application, in accordance with 37 C.F.R. 1.78(a)(3).

- With respect to 37 C.F.R. 1.78(a)(3)(i), the reference required by 35 U.S.C. 120 and 37 C.F.R. 1.78(a)(2)(i) is being concurrently filed herewith. This reference is contained in amended page 1 of the specification and an Application Data Sheet filed herewith.
- With respect to 37 CFR 1.78(a)(3)(ii), the surcharge set forth in 37 C.F.R. 1.17(t) has already been paid with our Petition dated September 23, 2004.
- With respect to 37 C.F.R. 1.78(a)(3)(iii), it is submitted that the entire delay between the date the claim was due under 37 C.F.R. 1.78(a)(2)(ii) and the date the claim is being filed concurrently herewith was unintentional.

It is hereby submitted that this petition is timely filed and meets the priority claim referred to by the Lead Petitions Examiner.

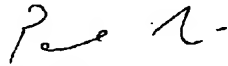
Very respectfully,

Applicants:



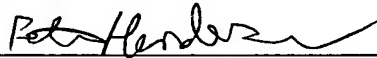
---

KIA SILVERBROOK



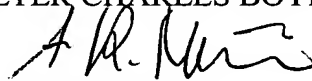
---

PAUL LAPSTUN



---

PETER CHARLES BOYD HENDERSON



---

ALIREZA MOINI



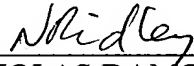
---

ZHENYA ALEXANDER YOURLO




---

MATTHEW JOHN UNDERWOOD



---

NICHOLAS DAMON RIDLEY



---

JAN RUSMAN

C/o: Silverbrook Research Pty Ltd  
393 Darling Street  
Balmain NSW 2041, Australia

Email: [kia.silverbrook@silverbrookresearch.com](mailto:kia.silverbrook@silverbrookresearch.com)

Telephone: +612 9818 6633

Facsimile: +61 2 9555 7762



## **Application Data Sheet**

### **Application Information**

Application Type::	Regular
Subject Matter::	Utility
CD-ROM or CD-R?::	None
Title::	Sensing Device for Coded Data
Attorney Docket Number::	HYJ001US
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	1
Total Drawing Sheets::	157
Small Entity?::	No
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

### **Applicant Information**

Applicant Authority type::	Inventor
Primary Citizenship Country::	Australia
Status::	Full Capacity
Given Name::	Kia
Middle Name::	
Family Name::	Silverbrook
City of Residence::	Balmain
Country of Residence::	Australia
Street of mailing address::	393 Darling Street
City of mailing address::	Balmain
Country of mailing address::	Australia
Postal Code of mailing address::	2041

Applicant Authority type:: Inventor  
Primary Citizenship Country:: Australian  
Status:: Full Capacity  
Given Name:: Paul  
Middle Name::  
Family Name:: Lapstun  
City of Residence:: Balmain  
Country of Residence:: Australia  
Street of mailing address:: 393 Darling Street  
City of mailing address:: Balmain  
Country of mailing address:: Australia  
Postal Code of mailing address:: 2041

Applicant Authority type:: Inventor  
Primary Citizenship Country:: Australian  
Status:: Full Capacity  
Given Name:: Peter  
Middle Name:: Charles Boyd  
Family Name:: Henderson  
City of Residence:: Balmain  
Country of Residence:: Australia  
Street of mailing address:: 393 Darling Street  
City of mailing address:: Balmain  
Country of mailing address:: Australia  
Postal Code of mailing address:: 2041



Applicant Authority type::	Inventor
Primary Citizenship Country::	Australian
Status::	Full Capacity
Given Name::	Alireza
Middle Name::	
Family Name::	Moini
City of Residence::	Balmain
Country of Residence::	Australia
Street of mailing address::	393 Darling Street
City of mailing address::	Balmain
Country of mailing address::	Australia
Postal Code of mailing address::	2041

Applicant Authority type::	Inventor
Primary Citizenship Country::	Australian
Status::	Full Capacity
Given Name::	Zhenya
Middle Name::	Alexander
Family Name::	Yourlo
City of Residence::	Balmain
Country of Residence::	Australian
Street of mailing address::	393 Darling Street
City of mailing address::	Balmain
Country of mailing address::	Australia
Postal Code of mailing address::	2041

Applicant Authority type::	Inventor
Primary Citizenship Country::	Australian
Status::	Full Capacity
Given Name::	Matthew
Middle Name::	John
Family Name::	Underwood
City of Residence::	Balmain
Country of Residence::	Australia
Street of mailing address::	393 Darling Street
City of mailing address::	Balmain
Country of mailing address::	Australia
Postal Code of mailing address::	2041

Applicant Authority type::	Inventor
Primary Citizenship Country::	Australian
Status::	Full Capacity
Given Name::	Nicholas
Middle Name::	Damon
Family Name::	Ridley
City of Residence::	Balmain
Country of Residence::	Australia
Street of mailing address::	393 Darling Street
City of mailing address::	Balmain
Country of mailing address::	Australia
Postal Code of mailing address::	2041

Applicant Authority type::	Inventor
Primary Citizenship Country::	Australian
Status::	Full Capacity
Given Name::	Jan
Middle Name::	
Family Name::	Rusman
City of Residence::	Balmain
Country of Residence::	Australia
Street of mailing address::	393 Darling Street
City of mailing address::	Balmain
Country of mailing address::	Australia
Postal Code of mailing address::	2041

### Correspondence Information

Correspondence Customer Number::	24011
----------------------------------	-------

### Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	Continuation-in-Part of	10/778,056	02/17/2004

### Foreign Priority Information

Country::	Application Number::	Filing Date:	Priority Claimed::
Australia	2003900746	02/17/2003	Yes

## **Assignee Information**

Assignee Name::

Silverbrook Research Pty Ltd